



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GABERT Atty. Ref.: 1721-21; Confirmation No. 5387

Appl. No. 09/530,363 Group: 1637

Filed: May 1, 2000 Examiner: Spiegler

For: METHOD FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH
GENE ARRANGEMENTS AND DIAGNOSIS KITS

* * * * *

Tuesday, February 17, 2004

(Monday, February 16, 2004 -
Federal Holiday)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

Responsive to the Official Action dated October 16, 2003, entry and
consideration of the following amendments and remarks are requested; the period for
response having been extended up to and including Tuesday, February 17, 2004, by
submission of the requisite petition and fee, attached.

02/20/2004 HALI11 00000116 09530363

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GABERT

Serial No. 09/530,363

Filed: May 1, 2000

Title: METHOD FOR DIAGNOSIS OF IN VITRO PATHOLOGIES ASSOCIATED WITH GENE ARRANGEMENTS AND DIAGNOSIS KITS

Atty Dkt. 1721-21
C# M#

TC/A.U. 1637

Examiner: Spiegler

Date: Tuesday, February 17, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

AMENDMENT

This is an Amendment and noted attachments in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	20	minus highest number			
previously paid for	20	(at least 20) =	0	X	\$ 18.00
Independent claims after amendment	2	minus highest number			
previously paid for	3	(at least 3) =	0	X	\$ 86.00
If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)					\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)					\$ 110.00
Terminal disclaimer enclosed, add \$ 110.00					\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)					\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed					
<input type="checkbox"/> Submission attached					
			Subtotal	\$	110.00
If "small entity," then enter half (1/2) of subtotal and subtract					-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					\$ 0.00
Assignment Recording Fee (\$40.00)					\$ 0.00
Attachment: Amendment; MLL FusionChip™ Kit "Instructions for Use" (17 pages); 10 page sample from IPSOGEN web page; copy of cited PCR Laboratory Manual					0.00
TOTAL FEE ENCLOSED					\$ 110.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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BJS:

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 